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VIA ECF

Honorable Jack B. Weinstein  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. C.R.  
09 Cr. 155 (JBW)

Dear Judge Weinstein:

The defense writes to respectfully request that the upcoming hearings in the above-referenced matter be split into two parts. First, on the dates previously scheduled from January 25-28, to go forward with testimony from the government's neuropsychologist (Dr. William Barr), the defense expert on adolescent development (Dr. Laurence Steinberg), the defense expert on treatment of sex offenders of C.R.'s age (Dr. Meg Kaplan), and two officers from the E.D.N.Y. Probation Office to provide factual information about the supervision and treatment of sex offenders. Second, on an adjourned date to be set in March, to hear from the government's evaluating psychologist (Dr. Susan Sachsenmeier) and the defense's evaluating psychologist (Dr. Robert Prentky).

We make this request to postpone the testimony of the evaluating psychologists until March because of a number of issues concerning the evaluation conducted by Dr. Sachsenmeier that need to be addressed before the defense can cross-examine her and prepare its expert to respond to her evaluation. Specifically, Dr. Sachsenmeier's evaluation, which the defense received last week (on January 13, 2011), arrives at significantly different conclusions concerning C.R. than any of the prior evaluations. Dr. Sachsenmeier conducted some tests that were not previously given to C.R. and also reached different results in evaluating tests that had been previously given to C.R. The defense has not yet received any of the underlying test data or scoring methodology from Dr. Sachsenmeier's evaluation. Given the significance of Dr. Sachsenmeier's

conclusions, the defense needs to receive this data, have time to analyze it, review it with defense experts, prepare for cross-examination, and decide how best to respond to it, including whether to retain another expert to rebut it, if necessary. This process is crucial not only for the potential use of this evaluation against C.R. in this proceeding, but its potential use against him in future proceedings, including civil commitment proceedings. Without sufficient time to prepare to rebut this report, the defense cannot provide effective representation to C.R.

For these reasons, we ask that the Court order that the treatment of the evaluating psychologists be deferred to March so that we may effectively represent C.R.

Respectfully Submitted,

Deirdre D. von Dornum

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